

**TITLES I AND III OF THE INTERNAL SECURITY ACT OF  
1950**

[Chapter 1024; 64 Stat. 987; approved September 23, 1950]

[As Amended Through P.L. 109–163, Enacted January 6, 2006]

【Currency: This publication is a compilation of the text of chapter 1024 of the 81st Congress. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To protect the United States against certain un-American and subversive activities by requiring registration of Communist organizations, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Internal Security Act of 1950”.*

**TITLE I—SUBVERSIVE ACTIVITIES CONTROL**

【Sections 1 through 3 repealed by section 803(1) of P.L. 103–199 (107 Stat. 2329).】

**CERTAIN PROHIBITED ACTS**

SEC. 4. 【50 U.S.C. 783】 (a) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, knowing or having reason to know that such information has been so classified, unless such officer or employees shall have been specifically authorized by the President, or by the head of the department, agency, or corporation by which this officer or employee is employed, to make such disclosure of such information.

(b) It shall be unlawful for any agent or representative of any foreign government knowingly to obtain or receive, or attempt to obtain or receive, directly or indirectly, from any officer or employee of the United States or of any department or agency thereof or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, unless special authorization for such communication shall first have been obtained from the head of the department, agency, or corporation having custody of or control over such information.

(c) Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine of not more than \$10,000, or imprisonment for not more than ten years, or by both such fine and such imprisonment, and shall, moreover, be thereafter ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States.

(d) Any person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after the commission of such offense, notwithstanding the provisions of any other statute of limitations: *Provided*, That if at the time of the commission of the offense such person is an officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, such person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after such person has ceased to be employed as such officer or employee.

(e)(1)<sup>1</sup> Any person convicted of a violation of this section shall forfeit to the United States irrespective of any provision of State law—

(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

(2) The court, in imposing sentence on a defendant for a conviction of a violation of this section, shall order that the defendant forfeit to the United States all property described in paragraph (1).

(3) Except as provided in paragraph (4), the provisions of subsections (b), (c), and (e) through (p) of section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853 (b), (c), and (e)–(p)) shall apply to—

(A) property subject to forfeiture under this subsection;

(B) any seizure or disposition of such property; and

(C) any administrative or judicial proceeding in relation to such property,

<sup>1</sup>Section 804(c) of Public Law 103-359 provides for the addition of section 4(e) to the Subversive Activities Control Act of 1950, referring to the short title which was struck by section 803 of Public Law 103-199. The amendment is carried out to reflect the probable intent of Congress.

if not inconsistent with this subsection.

(4) Notwithstanding section 524(c) of title 28, there shall be deposited in the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) all amounts from the forfeiture of property under this subsection remaining after the payment of expenses for forfeiture and sale authorized by law.

(5) As used in this subsection, the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and any territory or possession of the United States.

【Sections 5, 6, and 9–16 repealed by section 803(1) of P.L. 103–199 (107 Stat. 2329). Sections 7 and 8 repealed by section 5 of P.L. 90–237 (81 Stat. 766).】

#### EXISTING CRIMINAL STATUTES

SEC. 17. The foregoing provisions of this title shall be construed as being in addition to and not in modification of existing criminal statutes.

【Section 18 amends section 793 title 18 United States Code.】

#### PERIOD OF LIMITATION

SEC. 19. 【18 U.S.C. 792 note】 An indictment for any violation of title 18, United States Code, section 792, 793, or 794, other than a violation constituting a capital offense, may be found at any time within ten years next after such violation shall have been committed. This section shall not authorize prosecution, trial, or punishment for any offense now barred by the provisions of existing law.

【Section 20 amends the Act of June 8, 1938.】

#### PENALTY FOR VIOLATION OF SECURITY REGULATIONS AND ORDERS

SEC. 21. 【50 U.S.C. 797】 (a) MISDEMEANOR VIOLATION OF DEFENSE PROPERTY SECURITY REGULATIONS.—

(1) MISDEMEANOR.—Whoever willfully violates any defense property security regulation shall be fined under title 18, United States Code, or imprisoned not more than one year, or both.

(2) DEFENSE PROPERTY SECURITY REGULATION DESCRIBED.—For purposes of paragraph (1), a defense property security regulation is a property security regulation that, pursuant to lawful authority—

(A) shall be or has been promulgated or approved by the Secretary of Defense (or by a military commander designated by the Secretary of Defense or by a military officer, or a civilian officer or employee of the Department of Defense, holding a senior Department of Defense director position designated by the Secretary of Defense) for the protection or security of Department of Defense property; or

(B) shall be or has been promulgated or approved by the Administrator of the National Aeronautics and Space

Administration for the protection or security of NASA property.

(3) PROPERTY SECURITY REGULATION DESCRIBED.—For purposes of paragraph (2), a property security regulation, with respect to any property, is a regulation—

(A) relating to fire hazards, fire protection, lighting, machinery, guard service, disrepair, disuse, or other unsatisfactory conditions on such property, or the ingress there-to or egress or removal of persons therefrom; or

(B) otherwise providing for safeguarding such property against destruction, loss, or injury by accident or by enemy action, sabotage, or other subversive actions.

(4) DEFINITIONS.—In this subsection:

(A) DEPARTMENT OF DEFENSE PROPERTY.—The term “Department of Defense property” means covered property subject to the jurisdiction, administration, or in the custody of the Department of Defense, any Department or agency of which that Department consists, or any officer or employee of that Department or agency.

(B) NASA PROPERTY.—The term “NASA property” means covered property subject to the jurisdiction, administration, or in the custody of the National Aeronautics and Space Administration or any officer or employee thereof.

(C) COVERED PROPERTY.—The term “covered property” means aircraft, airports, airport facilities, vessels, harbors, ports, piers, water-front facilities, bases, forts, posts, laboratories, stations, vehicles, equipment, explosives, or other property or places.

(D) REGULATION AS INCLUDING ORDER.—The term “regulation” includes an order.

(b) POSTING.—Any regulation or order covered by subsection (a) shall be posted in conspicuous and appropriate places.

**【Sections 22 through 31 are amendatory.】**

#### SEPARABILITY OF PROVISIONS

SEC. 32. **【50 U.S.C. 781 note】** If any provision of this title, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this title, or the application of such provision to other persons or circumstances, shall not be affected thereby.

### TITLE III—PERSONNEL SECURITY PROCEDURES IN NATIONAL SECURITY AGENCY

#### REGULATIONS FOR EMPLOYMENT SECURITY

SEC. 301. **【50 U.S.C. 831】** Subject to the provisions of this title, the Secretary of Defense (hereinafter in this title referred to as the “Secretary”) shall prescribe such regulations relating to continuing security procedures as he considers necessary to assure—

(1) that no person shall be employed in, or detailed or assigned to, the National Security Agency (hereafter in this title

referred to as the “Agency”), or continue to be so employed, detailed, or assigned; and

(2) that no person so employed, detailed, or assigned shall have access to any classified information; unless such employment, detail, assignment, or access to classified information is clearly consistent with the national security.

#### FULL FIELD INVESTIGATION AND APPRAISAL

SEC. 302. [50 U.S.C. 832] (a) No person shall be employed in, or detailed or assigned to, the Agency unless he has been the subject of a full field investigation in connection with such employment, detail, or assignment, and is cleared for access to classified information in accordance with the provisions of this title; excepting that conditional employment without access to sensitive cryptologic information or material may be tendered any applicant under such regulations as the Secretary may prescribe, pending the completion of such full field investigation: *And provided further*, That such full field investigation at the discretion of the Secretary need not be required in the case of persons assigned or detailed to the Agency who have a current security clearance for access to sensitive cryptologic information under equivalent standards of investigation and clearance. During any period of war declared by the Congress, or during any period when the Secretary determines that a national disaster exists, or in exceptional cases in which the Secretary (or his designee for such purpose) makes a determination in writing that his action is necessary or advisable in the national interest, he may authorize the employment of any person in, or the detail or assignment of any person to, the Agency, and may grant to any such person access to classified information, on a temporary basis, pending the completion of the full field investigation and the clearance for access to classified information required by this subsection, if the Secretary determines that such action is clearly consistent with the national security.

(b) To assist the Secretary and the Director of the Agency in carrying out their personnel security responsibilities, one or more boards of appraisal of three members each, to be appointed by the Director of the Agency, shall be established in the Agency. Such a board shall appraise the loyalty and suitability of persons for access to classified information, in those cases in which the Director of the Agency determines that there is a doubt whether their access to that information would be clearly consistent with the national security, and shall submit a report and recommendation on each such a case. However, appraisal by such a board is not required before action may be taken under section 14 of the Act of June 27, 1944, chapter 287, as amended (5 U.S.C. 863), section 1 of the Act of August 26, 1950, chapter 803, as amended (5 U.S.C. 22-1), or any other similar provision of law. Each member of such a board shall be specially qualified and trained for his duties as such a member, shall have been the subject of a full field investigation in connection with his appointment as such a member, and shall have been cleared by the Director for access to classified information at the time of his appointment as such a member. No person shall be cleared for access to classified information, contrary

to the recommendations of any such board, unless the Secretary (or his designee for such purpose) shall make a determination in writing that such employment, detail, assignment, or access to classified information is in the national interest.

**【SEC. 303. Repealed by section 1633(b)(2) of P.L. 104–201.】**

DEFINITION OF CLASSIFIED INFORMATION

SEC. 304. **【50 U.S.C. 834】** For the purposes of this section, the term “classified information” means information which, for reasons of national security, is specifically designated by a United States Government agency for limited or restricted dissemination or distribution.

NONAPPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT

SEC. 305. **【50 U.S.C. 835】** The Administrative Procedure Act, as amended (5 U.S.C. 1001 et seq.)<sup>1</sup>, shall not apply to the use or exercise of any authority granted by this title.

AMENDMENTS

SEC. 306. **【Section 306 consisted of amendments to other laws.】**

<sup>1</sup>So in original. The Administrative Procedure Act was repealed by P.L. 89–554 as part of a general revision of title 5, United States Code. These provisions were codified as subchapter II of chapter 5 and chapter 7 of title 5, United States Code.